



INDIANA
WORKFORCE
DEVELOPMENT
AND ITS **WorkOne** CENTERS

TO: Indiana's Workforce Investment System

FROM: Teresa L. Voors *TV*
Commissioner, Indiana Department of Workforce Development

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Deputy Commissioner, Policy and Field Operations

DATE: June 27, 2008

SUBJECT: DWD Policy 2007-45
Requirements Pertaining to Confidential and Privileged Information

Purpose

This policy establishes guidelines and requirements for the appropriate use, storage and access of confidential and/or privileged information maintained by the Indiana Department of Workforce Development and/or any entity providing customer services connected to or through the WorkOne system.

Rescission

None.

Contents

All individuals, organizations, business entities and Department staff with access to confidential and privileged customer information have an obligation to ensure the protection and appropriate business use of the information. This policy provides a definition for confidential and privileged information and specifies the requirements for the use, storage and access to this information.

State employees, and those who have a business relationship with the Indiana Department of Workforce Development, are subject to the Indiana Code of Ethics. These ethics rules and the Indiana Code of Ethics apply to any entity, organization or individual providing customer services connected to or through the WorkOne system. The ethics rules prohibit those subject to the rules from benefiting from, or permitting any other person to benefit from, information confidential in nature and from divulging confidential information. For a complete copy of the ethics rules, visit <http://www.in.gov/ig>.

Definitions

Confidential Information

Confidential information is that which has been so designated by statute or by promulgated rule or regulation based on statutory authority. Records of the Department relating to the unemployment tax or the payment of benefits are confidential pursuant to IC 22-4-19-6(b).

Privileged Information

Privileged information is that which is available only to authorized persons and is gained access to by one's position within the Department or through partnership in contractual relationships with the State of Indiana or any subcontracted entity funded in whole or in part by Department grants/contracts. This information is not confidential pursuant to the law, but is sensitive in nature. Privileged information is subject to the same restrictions as confidential information for purposes of this policy.

State Property

All information including but not limited to documents, software, files, and e-mail, created, accessed, transmitted, or stored, electronically or in paper form while employed by or partnered in contractual relationships with the State of Indiana or any of its subcontracted entities shall be considered the exclusive property of the State of Indiana.

Requirements

Storage of Confidential and/or Privileged Information

When an employee's desk is unattended, it is the employee's responsibility to ensure that confidential and/or privileged information is properly filed and stored. This means that all documents containing confidential and/or privileged information must not be left on desks, fax machines, printers or photocopiers unattended. When not working directly with these documents, they must be filed or stored in drawers to prevent inadvertent disclosure of information.

Access to Confidential and/or Privileged Information

Employees can only access confidential and/or privileged information to the extent they have permission and/or authority to access it. Accessing confidential and/or privileged information beyond the scope of the authority granted or without legitimate business reason to do so will be deemed a violation and is subject to discipline up to and including termination of employment.

Unauthorized Control of Confidential and/or Privileged Information

WorkOne employees and Department staff who take State electronic or paper records off work premises to be utilized for personal reasons may commit criminal conversion as outlined in IC 35-43-4-3 (a). A person who knowingly or intentionally exerts unauthorized control over property of another commits criminal conversion, a Class A misdemeanor.

Additional Security Measures

The unauthorized use of cameras, including cell phone cameras, is prohibited from use at all times while on WorkOne or Department premises. Cameras that are used for business reasons or to document special occasions, such as retirements and birthday parties, must be used with management approval and all photographs limited to the subject area. Cameras that are used in an unauthorized manner, or to collect confidential and/or privileged information, will subject the user to immediate disciplinary action.

Effective Date

Immediately

Review Date

September 30, 2010

Ownership

DWD Field Operations and DWD Legal Affairs

Indiana Department of Workforce Development

10 North Senate Avenue

Indianapolis, Indiana 46204

Field Operations telephone: 317.233.6078

Legal Affairs telephone: 317.232.0198

Action

All WorkOne Centers and WorkOne Express sites and Indiana Department of Workforce Development staff shall adhere to the requirements of this policy. All employees of organizations partnered in direct or indirect contractual relationships with the State of Indiana or any of its subcontracted entities shall adhere to the requirements of this policy.